Amendments to the Claims

Claim 1 (Currently amended): Hybrid maize seed designated 33R77, representative seed of said hybrid 33R77 having been deposited under ATCC ~~accession~~ Accession number _____.

Claim 2 (Currently amended): A maize plant, or ~~its parts~~ a part thereof, produced by growing the seed of claim 1.

Claim 3 (Original): Pollen of the plant of claim 2.

Claim 4 (Original): An ovule of the plant of claim 2.

Claims 5- 43 (Canceled)

Claim 44 (New): A tissue culture of regenerable cells produced from the plant of claim 2.

Claim 45 (New): Protoplasts produced from the tissue culture of claim 44.

Claim 46 (New): The tissue culture of claim 44, wherein cells of the tissue culture are from a tissue selected from the group consisting of leaf, pollen, embryo, root, root tip, anther, silk, flower, kernel, ear, cob, husk and stalk.

Claim 47 (New): A maize plant regenerated from the tissue culture of claim 44, wherein said plant is capable of expressing all the morphological and physiological characteristics of hybrid maize plant 33R77, representative seed of said plant having been deposited under ATCC Accession No. _____.

Claim 48 (New): A method for producing an F1 hybrid maize seed, comprising crossing the plant of claim 2 with a different maize plant and harvesting the resultant F1 hybrid maize seed.

Claim 49 (New): A method of producing a male sterile hybrid maize plant comprising transforming at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited as _____ and _____ respectively, with a nucleic acid molecule that confers male sterility and crossing said inbred maize parent plants to produce said male sterile hybrid maize plant.

Claim 50 (New): A male sterile maize hybrid plant produced by the method of claim 49.

Claim 51 (New): A method of producing an herbicide resistant hybrid maize plant comprising transforming at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited as _____ and _____ respectively, with a transgene that confers herbicide resistance to generate an herbicide resistant inbred maize parent plant and crossing said inbred maize parent plants to produce said herbicide resistant hybrid maize plant.

Claim 52 (New): An herbicide resistant hybrid maize plant produced by the method of claim 51.

Claim 53 (New): The herbicide resistant hybrid maize plant of claim 52, wherein the transgene confers resistance to an herbicide selected from the group consisting of: imidazolinone, sulfonylurea, glyphosate, glufosinate, L-phosphinothricin, triazine and benzonitrile.

Claim 54 (New): A method of producing an insect resistant hybrid maize plant comprising transforming at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited as _____ and _____ respectively, with a transgene that confers insect resistance to generate an insect resistant inbred maize parent plant and crossing said inbred maize parent plants to produce said insect resistant hybrid maize plant.

Claim 55 (New): An insect resistant maize plant produced by the method of claim 54.

Claim 56 (New): The insect resistant maize plant of claim 55, wherein the transgene encodes a *Bacillus thuringiensis* endotoxin.

Claim 57 (New): A method of producing a disease resistant hybrid maize plant comprising transforming at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited as _____ and _____ respectively, with a transgene that confers disease resistance to generate a disease resistant inbred maize parent plant and crossing said inbred maize parent plants to produce said disease resistant hybrid maize plant.

Claim 58 (New): A disease resistant hybrid maize plant produced by the method of claim 57.

Claim 59 (New): A method of producing a hybrid maize plant with decreased phytate content comprising transforming at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited as _____ and _____ respectively, with a transgene encoding phytase to generate an inbred maize parent plant with decreased phytate content and crossing said inbred maize parent plants to produce said hybrid maize plant that confers decreased phytate content.

Claim 60 (New): A hybrid maize plant with decreased phytate content produced by the method of claim 59.

Claim 61 (New): A method of producing a hybrid maize plant with modified fatty acid metabolism or modified carbohydrate metabolism comprising transforming at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited as _____ and _____ respectively, with a transgene encoding a protein selected from the group consisting of stearyl-ACP desaturase, fructosyltransferase, levansucrase, alpha-amylase, invertase and starch branching enzyme to generate an inbred maize parent plant with modified fatty acid metabolism or modified carbohydrate metabolism and crossing said inbred

maize parent plants to produce said hybrid maize plant that confers modified fatty acid metabolism or modified carbohydrate metabolism.

Claim 62 (New): A hybrid maize plant produced by the method of claim 61.

Claim 63 (New): The hybrid maize plant of claim 62 wherein the transgene confers a trait selected from the group consisting of waxy starch and increased amylose starch.

Claim 64 (New): A maize plant, or a part thereof, capable of expressing all the physiological and morphological characteristics of the hybrid maize plant 33R77, representative seed of said plant having been deposited under ATCC Accession No. _____.

Claim 65 (New): A method of introducing a desired trait into a hybrid maize line 33R77 comprising:

(a) crossing at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited under ATCC Accession Nos. as _____ and _____ respectively, with another maize line that comprises a desired trait, to produce F1 progeny plants, wherein the desired trait is selected from the group consisting of male sterility, herbicide resistance, insect resistance, disease resistance and waxy starch;

(b) selecting said F1 progeny plants that have the desired trait to produce selected F1 progeny plants;

(c) backcrossing the selected progeny plants with said inbred maize parent plant to produce backcross progeny plants;

(d) selecting for backcross progeny plants that have the desired trait and morphological and physiological characteristics of said inbred maize parent plant;

(e) repeating the steps of backcrossing to said inbred maize parent plant three or more times in succession to produce selected fourth or higher backcross progeny plants;

(f) crossing said backcross progeny plant with the other inbred maize parent plant to generate a hybrid maize line 33R77 with the desired trait and all of the morphological and

physiological characteristics of hybrid maize line 33R77 listed in Table 1 as determined at the 5% significance level when grown in the same environmental conditions.

Claim 66 (New): A plant produced by the method of claim 65, wherein the plant has the desired trait and all of the physiological and morphological characteristics of hybrid maize line 33R77 listed in Table 1 as determined at the 5% significance level when grown in the same environmental conditions.

Claim 67 (New): The plant of claim 66 wherein the desired trait is herbicide resistance and the resistance is conferred to an herbicide selected from the group consisting of: imidazolinone, sulfonylurea, glyphosate, glufosinate, L-phosphinothricin, triazine and benzonitrile.

Claim 68 (New): The plant of claim 66 wherein the desired trait is insect resistance and the insect resistance is conferred by a transgene encoding a *Bacillus thuringiensis* endotoxin.

Claim 69 (New): The plant of claim 66 wherein the desired trait is male sterility and the trait is conferred by a cytoplasmic nucleic acid molecule that confers male sterility.

Claim 70 (New): A method of modifying fatty acid metabolism, phytic acid metabolism or carbohydrate metabolism in a hybrid maize line 33R77 comprising:

(a) crossing at least one of inbred maize parent plants GE515419 and GE567914, representative samples of which have been deposited under ATCC Accession Nos. as _____ and _____ respectively, with another maize line that comprises a nucleic acid molecule encoding an enzyme selected from the group consisting of phytase, stearyl-ACP desaturase, fructosyltransferase, levansucrase, alpha-amylase, invertase and starch branching enzyme;

(b) selecting said F1 progeny plants that have said nucleic acid molecule to produce selected F1 progeny plants;

(c) backcrossing the selected progeny plants with said inbred maize parent plant to produce backcross progeny plants;

(d) selecting for backcross progeny plants that have said nucleic acid molecule and morphological and physiological characteristics of said inbred maize parent plant;

(e) repeating the steps of backcrossing to said inbred maize parent plant three or more times in succession to produce selected fourth or higher backcross progeny plants;

(f) crossing said backcross progeny plant with the other inbred maize parent plant to generate a hybrid maize line 33R77 that comprises said nucleic acid molecule and has all of the morphological and physiological characteristics of hybrid maize line 33R77 listed in Table 1 as determined at the 5% significance level when grown in the same environmental conditions.

Claim 71 (New): A plant produced by the method of claim 70, wherein the plant comprises the nucleic acid molecule and has all of the physiological and morphological characteristics of hybrid maize line 33R77 listed in Table 1 as determined at the 5% significance level when grown in the same environmental conditions.

Claim 72 (New): A method for producing a maize seed, comprising crossing the plant of claim 2 with itself or a different maize plant and harvesting the resultant maize seed.